

Docket Item #3  
BZA CASE #2004-00032

Board of Zoning Appeals  
September 22, 2004

**ADDRESS:** 26 WEST CHAPMAN STREET  
**ZONE:** RB, RESIDENTIAL  
**APPLICANT:** CHARLIE HILL, OWNER

**ISSUE:** Variance to construct a screened porch in the required secondary front yard facing Russell Road and in the required south side yard.

CODE SECTION	SUBJECT	CODE REQMT	APPLICANT PROPOSES	REQUESTED VARIANCE
3-706(A)(1)	Front Yard	20.00 feet	13.00 feet	7.00 feet
3-706(A)(2)(a)	Side Yard	8.00 feet	4.50 feet	3.50 feet

(insert sketch here)

**STAFF CONCLUSION:**

Staff recommends denial of the variance request because the request does not meet the criteria for a variance.

**I. Issue**

The applicant proposes to construct a one-story screened porch addition to the dwelling located at 26 West Chapman Street. The applicant seeks a variance to construct the proposed addition within both the required 20.00 foot front yard adjacent to Russell Road and the required 8.00 foot south side yard.



*Proposed location of addition  
(subject property on the left)*

**II. Background**

On February 10, 1972, the Board of Zoning Appeals granted variances for floor area, front setback and open space to allow the construction of 42 townhouses on the North and South sides of West Chapman between Commonwealth Avenue and Russell Road.

The subject property is a corner lot with 68.62 feet of frontage on Russell Road and 96.18 feet of frontage on West Chapman Street. The lot area totals 5,921 square feet.

The existing 1 ½ story dwelling is located 20.00 feet from the West Chapman Street north property line, 25.00 feet from the Russell Road west property line, 10.50 feet from the south side property line, and 13.60 feet from the east side property line.

**III. Discussion**

The proposed screened porch addition measures a total of 12.00 feet by 9.42 feet and would be located on the south east corner of the existing dwelling. The addition would measure a total of 9.50 feet from grade to the roof eave and approximately 12.00 feet from grade to the roof peak. If approved as submitted, the addition would be 4.50 feet from the south side property line and 13.00 feet from the west front property line adjacent to Russell Road.

**IV. Master Plan/Zoning**

The subject property is zoned RB, residential and has been so zoned since adoption of the Third Revised Zoning Map in 1951 and identified in the Potomac West Small Area Plan for residential land use.

**V. Requested Variances**

Section 3-706(A)(1), Front Yard

Section 3-706(A)(2)(a), Side Yard

The zoning ordinance states that each use in the RB residential zone must provide a minimum front yard setback of 20.00 feet. The proposed addition will be located 13.00 feet from the front property line adjacent to Russell Road. Therefore, the applicant must seek a variance of 7.00 feet from the front yard setback requirement. The RB residential zone also requires a minimum 8.00 foot side yard setback. The proposed addition will also be located 4.50 feet from the south side property line. Therefore, the applicant must seek a variance of 3.50 feet from the side yard setback requirement.

**VI. Staff analysis under criteria of section 11-1103:**

1. Does strict application of the zoning ordinance result in undue hardship to the property owner amounting to a confiscation of the property, or prevent reasonable use of the property?

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Strict application of the zoning ordinance in this case does not amount to confiscation of the property, nor does it prevent reasonable use of the property. The property is currently developed with a one and one-half story single family detached dwelling. The dwelling currently complies with zoning ordinance regulations for the RB zone. Therefore, staff finds that there is no hardship in this case and that reasonable use of the property is not diminished by strict application of the zoning ordinance.

2. Is the hardship identified above unique to the subject property, or is it shared by other properties in the neighborhood or the same zone?

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There is no hardship in this case. The subject property is somewhat unique in that many other lots on this blockface are much more narrow townhouse lots. However, the subject property is comparable in size and configuration to other corner lots in the immediate neighborhood along Russell Road. Staff does not find that the lot configuration or lot size are unique to the subject property.

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3. Was the hardship caused by the applicant and, if so, how was it created? Or did the condition exist when the property was purchased and, if so, did the applicant acquire the property without knowing of the hardship; how was the hardship first created?
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There is no hardship in this case. The lot configuration has existed since the dwelling was constructed in 1956.

4. Will the variance, if granted, be harmful in any way to any adjacent property or harm the value of adjacent and nearby properties? Will it change the character of the neighborhood?
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The variance if granted could be harmful to the adjacent property. The proposed addition would be located in close proximity to the adjacent single family dwelling at 603 Russell Road. This could have the potential for impacting the neighboring property owner's enjoyment of light and air. Further, it appears that the proposed addition will be closer to the Russell Road frontage than any other structures on this blockface which could change the character of the blockface.



*Existing distance from dwelling to side property line*

5. Have alternate plans been considered so that a variance would not be needed?
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The applicant indicates that alternate plans would not meet his needs.

6. Is any other official remedy available to relieve the hardship?
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No official remedy exists except a variance.

**DEPARTMENTAL COMMENTS**

Legend: C - code requirement R - recommendation S - suggestion F - finding

\* The applicant is advised that if the variance or special exception is approved the following additional comments apply.

Transportation and Environmental Services:

F-1 No objections or recommendations.

Code Enforcement:

C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

C-2 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction.

C-3 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.

C-4 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

C-5 Stairs and handrails must comply with IRC sec. R314 and R315.

Recreation (Arborist):

F-1 No trees are affected by this plan.

Historic Alexandria (Archaeology):

F-1 There is low potential that this project will disturb significant archaeological resources. No archaeological action is required.

Other Requirements Brought to the Applicant's Attention:

C-1 A wall check survey plat shall be submitted to Planning and Zoning when the building footprint is in place, pursuant to Alexandria City Code section 8-1-12.

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